

AMENDED IN SENATE APRIL 7, 2016
AMENDED IN SENATE MARCH 28, 2016
AMENDED IN SENATE MARCH 1, 2016

SENATE BILL

No. 868

Introduced by Senator Jackson

January 12, 2016

An act to amend *Section 830.7 of the Penal Code*, and to amend Section 21012 of, and to add Part 1.5 (commencing with Section 21750) to Division 9 of, the Public Utilities Code, relating to aviation.

LEGISLATIVE COUNSEL'S DIGEST

SB 868, as amended, Jackson. State Remote Piloted Aircraft Act.

Existing federal law, the FAA Modernization and Reform Act of 2012, provides for the integration of civil unmanned aircraft systems, commonly known as drones, into the National Airspace System. Existing federal law generally requires an aircraft to be registered with the Federal Aviation Administration (FAA), prohibits a person from operating a United States registered aircraft unless that aircraft displays specified nationality and registration marks, and, unless authorized by the FAA, prohibits a person from placing on any aircraft a design, mark, or symbol that modifies or confuses those nationality and registration marks.

The State Aeronautics Act governs various matters relative to aviation in the state, including, among other things, fostering and promoting safety in aeronautics and establishing only those regulations that are essential and clearly within the scope of the authority granted to the Department of Transportation by the Legislature, in order that persons may engage in every phase of aeronautics with the least possible

restriction consistent with the safety and the rights of others. A violation of the act is a crime punishable by a fine of not more than \$1,000 or by imprisonment of not more than 6 months, or both.

Existing law establishes the Office of Emergency Services in the office of the Governor and makes the office responsible for the state's emergency and disaster response services for natural, technological, or manmade disasters and emergencies.

This bill would enact the State Remote Piloted Aircraft Act. The bill would establish conditions for operating remote piloted aircraft, including the procurement of liability insurance. The bill would authorize the department to adopt rules and regulations governing the conditions under which remote piloted aircraft may be operated for the purpose of protecting and ensuring the general public interest and safety and the safety of persons operating remote piloted aircraft. The bill would authorize the Office of Emergency Services to adopt rules and regulations and to make and amend general or special rules, orders, and procedures with respect to operating a remote piloted aircraft in certain circumstances, including operating a remote piloted aircraft within 500 feet of critical infrastructure.

The bill would authorize the department to make and amend general or special rules, orders, and procedures, and establish minimum standards consistent with the act as it deems necessary, to assist political subdivisions and their law enforcement agencies, and to enter into any contracts necessary to the execution of its powers pursuant to the act, as specified. ~~The bill would provide that a person or entity injured or aggrieved by any procedure or action of the department with respect to remote piloted aeronautics may appeal to the California Transportation Commission for relief, as specified. The bill would authorize the Director of Transportation and the department's officers and employees, and any state or peace officer charged with the enforcement of state and local laws or ordinances, to enforce and assist in the enforcement of the act, any rules or orders issued under the act, and all other state laws applicable to remote piloted aircraft or unmanned aircraft systems. The bill would also authorize the director to designate any officer or employee of the department to exercise the powers of arrest, as specified.~~ The bill would provide that remedies provided by the act are cumulative with any other remedies available under law. The bill would provide that the provisions of the act are severable. The bill would make a violation of the act or any rule or order issued pursuant to the act punishable in the same manner as a violation of the State Aeronautics

Act, except as provided, which would make violations subject to criminal penalties.

Because the bill would create new crimes, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 **SECTION 1.** *Section 830.7 of the Penal Code is amended to*
2 *read:*

3 830.7. The following persons are not peace officers but may
4 exercise the powers of arrest of a peace officer as specified in
5 Section 836 during the course and within the scope of their
6 employment, if they successfully complete a course in the exercise
7 of those powers pursuant to Section 832:

8 (a) Persons designated by a cemetery authority pursuant to
9 Section 8325 of the Health and Safety Code.

10 (b) Persons regularly employed as security officers for
11 independent institutions of higher education, recognized under
12 subdivision (b) of Section 66010 of the Education Code, if the
13 institution has concluded a memorandum of understanding,
14 permitting the exercise of that authority, with the sheriff or the
15 chief of police within whose jurisdiction the institution lies.

16 (c) Persons regularly employed as security officers for health
17 facilities, as defined in Section 1250 of the Health and Safety Code,
18 that are owned and operated by cities, counties, and cities and
19 counties, if the facility has concluded a memorandum of
20 understanding, permitting the exercise of that authority, with the
21 sheriff or the chief of police within whose jurisdiction the facility
22 lies.

23 (d) Employees or classes of employees of the California
24 Department of Forestry and Fire Protection designated by the
25 Director of Forestry and Fire Protection, provided that the primary

1 duty of the employee shall be the enforcement of the law as that
2 duty is set forth in Section 4156 of the Public Resources Code.

3 (e) Persons regularly employed as inspectors, supervisors, or
4 security officers for transit districts, as defined in Section 99213
5 of the Public Utilities Code, if the district has concluded a
6 memorandum of understanding permitting the exercise of that
7 authority, with, as applicable, the sheriff, the chief of police, or
8 the Department of the California Highway Patrol within whose
9 jurisdiction the district lies. For the purposes of this subdivision,
10 the exercise of peace officer authority may include the authority
11 to remove a vehicle from a railroad right-of-way as set forth in
12 Section 22656 of the Vehicle Code.

13 (f) *Officers and employees of the Department of Transportation*
14 *who are designated by the Director of Transportation to enforce*
15 *the provisions of the State Remote Piloted Aircraft Act (Part 1.5*
16 *(commencing with Section 21750) of Division 9 of the Public*
17 *Utilities Code), any rule or order issued under that part, or any*
18 *other law applicable to remote piloted aircraft or unmanned*
19 *aircraft systems.*

20 ~~(f)~~
21 (g) Nonpeace officers regularly employed as county parole
22 officers pursuant to Section 3089.

23 ~~(g)~~
24 (h) Persons appointed by the Executive Director of the California
25 Science Center pursuant to Section 4108 of the Food and
26 Agricultural Code.

27 ~~(h)~~
28 (i) Persons regularly employed as investigators by the
29 Department of Transportation for the City of Los Angeles and
30 designated by local ordinance as public officers, to the extent
31 necessary to enforce laws related to public transportation, and
32 authorized by a memorandum of understanding with the chief of
33 police, permitting the exercise of that authority. For the purposes
34 of this subdivision, “investigator” means an employee defined in
35 Section 53075.61 of the Government Code authorized by local
36 ordinance to enforce laws related to public transportation.
37 Transportation investigators authorized by this section shall not
38 be deemed “peace officers” for purposes of Sections 241 and 243.

39 ~~(i)~~

1 (j) Persons regularly employed by any department of the City
2 of Los Angeles who are designated as security officers and
3 authorized by local ordinance to enforce laws related to the
4 preservation of peace in or about the properties owned, controlled,
5 operated, or administered by any department of the City of Los
6 Angeles and authorized by a memorandum of understanding with
7 the Chief of Police of the City of Los Angeles permitting the
8 exercise of that authority. Security officers authorized pursuant to
9 this subdivision shall not be deemed peace officers for purposes
10 of Sections 241 and 243.

11 (j)

12 (k) Illegal dumping enforcement officers or code enforcement
13 officers, to the extent necessary to enforce laws related to illegal
14 waste dumping or littering, and authorized by a memorandum of
15 understanding with, as applicable, the sheriff or chief of police
16 within whose jurisdiction the person is employed, permitting the
17 exercise of that authority. An “illegal dumping enforcement officer
18 or code enforcement officer” is defined, for purposes of this
19 section, as a person employed full time, part time, or as a volunteer
20 after completing training prescribed by law, by a city, county, or
21 city and county, whose duties include illegal dumping enforcement
22 and who is designated by local ordinance as a public officer. An
23 illegal dumping enforcement officer or code enforcement officer
24 may also be a person who is not regularly employed by a city,
25 county, or city and county, but who has met all training
26 requirements and is directly supervised by a regularly employed
27 illegal dumping enforcement officer or code enforcement officer
28 conducting illegal dumping enforcement. This person shall not
29 have the power of arrest or access to summary criminal history
30 information pursuant to this section. No person may be appointed
31 as an illegal dumping enforcement officer or code enforcement
32 officer if that person is disqualified pursuant to the criteria set forth
33 in Section 1029 of the Government Code. Persons regularly
34 employed by a city, county, or city and county designated pursuant
35 to this subdivision may be furnished state summary criminal history
36 information upon a showing of compelling need pursuant to
37 subdivision (c) of Section 11105.

38 **SECTION 1.**

39 *SEC. 2.* Section 21012 of the Public Utilities Code is amended
40 to read:

1 21012. “Aircraft” means any manned contrivance used or
2 designed for navigation of, or flight in, the air requiring
3 certification and registration as prescribed by federal statute or
4 regulation. Notwithstanding the foregoing provisions of this
5 section, manned lighter-than-air balloons and ultralight vehicles
6 as defined in the regulations of the Federal Aviation Administration
7 (14 C.F.R. Part 103), whether or not certificated by the Federal
8 Aviation Administration, shall not be considered to be aircraft for
9 purposes of this part. “Aircraft” does not include remote piloted
10 aircraft, as defined in Section 21753.

11 ~~SEC. 2.~~

12 SEC. 3. Part 1.5 (commencing with Section 21750) is added
13 to Division 9 of the Public Utilities Code, to read:

14
15 PART 1.5. STATE REMOTE PILOTED AIRCRAFT ACT

16
17 21750. This part may be cited as the “State Remote Piloted
18 Aircraft Act.”

19 21751. The purpose of this part is to further and protect the
20 public interest in remote piloted aircraft by all of the following
21 means:

22 (a) Encouraging the development and general use of remote
23 piloted aircraft.

24 (b) Fostering and promoting safety in remote piloted aeronautics.

25 (c) Preserving the fundamental right to privacy.

26 (d) Protecting the security of critical infrastructure.

27 (e) Protecting California’s natural resources.

28 (f) Encouraging the use of remote piloted aircraft for
29 newsgathering in a manner consistent with the fundamental right
30 to privacy.

31 (g) Granting to a state agency powers, and imposing upon it
32 duties, so that the state may properly perform its functions relative
33 to remote piloted aeronautics and effectively exercise its
34 jurisdiction over persons and property.

35 (h) Effecting, where feasible and consistent with the policies of
36 this state, uniformity with federal aeronautics laws and regulations.

37 (i) Establishing only those regulations that are essential and
38 clearly within the scope of the authority granted by the Legislature,
39 in order that persons may engage in every phase of remote piloted

1 aeronautics with the least possible restriction consistent with the
2 safety and the rights of others.

3 21752. (a) Unless the context otherwise requires, the
4 definitions and general provisions set forth in this part govern the
5 construction of this part.

6 (b) This part shall not be construed as ~~limiting~~ *to do either of*
7 *the following:*

8 (1) *Limit* any power of the state or a political subdivision to
9 regulate the operation of remote piloted aircraft if the regulations
10 do not conflict with the provisions of this part.

11 (2) *Preempt any local ordinance that regulates remotely piloted*
12 *aircraft or unmanned aircraft systems if the ordinance is consistent*
13 *with this part.*

14 (c) Except as specified, this part shall not be construed as
15 prohibiting, restricting, or permitting the prohibition of the take-off,
16 operation, or landing of remote piloted aircraft.

17 21753. (a) “Aircraft” means any contrivance used or designed
18 for navigation of, or flight in, the air.

19 (b) “Airport” means any area of land or water that is used, or
20 intended for use, for the landing and take-off of aircraft, and any
21 appurtenant areas that are used, or intended for use, for airport
22 buildings or other airport facilities or rights-of-way, and all airport
23 buildings and facilities located thereon.

24 (c) “Critical infrastructure” means systems and assets so vital
25 to the state that the incapacity or destruction of those systems or
26 assets would have a debilitating impact on security, economic
27 security, public health and safety, or any combination of those
28 matters.

29 (d) “Department” means the Department of Transportation.

30 (e) “Heliport” means any area of land, water, or structure used,
31 or intended for use, for the landing and take-off of helicopters, and
32 any appurtenant areas that are used, or intended for use, for heliport
33 buildings or other heliport facilities or rights-of-way, and all
34 heliport buildings and facilities located thereon.

35 (f) “Operation of remote piloted aircraft” or “operate remote
36 piloted aircraft” means the use, navigation, or piloting of remote
37 piloted aircraft in the airspace over the land or waters of this state.

38 (g) “Person” means any individual, firm, partnership,
39 corporation, limited liability company, company, association, joint

1 stock association, or body politic; and includes any trustee,
2 receiver, assignee, or other similar representative.

3 (h) “Pilot” means the person in command of a remote piloted
4 aircraft while underway.

5 (i) “Political subdivision” means any county, city, city and
6 county, public corporation, district, or other political entity or
7 public corporation of this state.

8 (j) “Remote piloted aircraft” means an aircraft that is operated
9 without the possibility of direct human intervention from within
10 or on the aircraft.

11 (k) “Remote piloted aircraft system” means a remote piloted
12 aircraft and its associated elements, including communication
13 links, that are required for the pilot to control the remote piloted
14 aircraft.

15 21754. A person shall not operate a remote piloted aircraft in
16 any of the following circumstances:

17 (a) (1) Within 500 feet of critical infrastructure designated by
18 rule or regulation by the Office of Emergency Services without
19 first obtaining the consent of the owner or operator of the critical
20 infrastructure.

21 (2) This subdivision shall not apply to the operation of a remote
22 piloted aircraft by any person that the Federal Aviation
23 Administration authorizes to operate a remote piloted aircraft for
24 a commercial purpose *who operates the remote aircraft in a*
25 *manner that complies with the authorization* or by any person
26 described in Section 1070 of the Evidence Code ~~engaged in~~
27 ~~gathering, receiving, or processing information for communication~~
28 ~~to the public if all both~~ of the following conditions ~~that are~~
29 ~~applicable~~ are met:

30 ~~(A) If the person is authorized by the Federal Aviation~~
31 ~~Administration to operate a remote piloted aircraft for a commercial~~
32 ~~purpose, the person operates the remote piloted aircraft in a manner~~
33 ~~that complies with the authorization.~~

34 ~~(B)~~

35 (A) The operation of the remote piloted aircraft does not
36 *unreasonably* interfere with the operation of the critical
37 infrastructure.

38 ~~(C)~~

1 (B) The operation of the remote piloted aircraft does not pose
2 a *an imminent and credible* threat to the safety or security of the
3 critical infrastructure.

4 (b) Within 1,000 feet of a heliport without first obtaining the
5 consent of the owner or operator of the heliport, or without first
6 obtaining a waiver, exemption, or other authorization for its
7 operation from the Federal Aviation Administration.

8 (c) Within five miles of an airport without first obtaining the
9 consent of the owner or operator of the airport, or without first
10 obtaining a waiver, exemption, or other authorization for its
11 operation from the Federal Aviation Administration.

12 (d) Within any other area where the department or the Office
13 of Emergency Services, through rule or regulation, determines that
14 unrestricted use of remote piloted aircraft presents an imminent
15 danger to public health and safety.

16 21755. A person shall not operate a remote piloted aircraft in
17 any of the following circumstances:

18 (a) Within the airspace overlaying units of the state park system,
19 unless the operator of the remote piloted aircraft has obtained a
20 permit authorizing the use of that aircraft in that airspace or the
21 unit of the state park system over which the remote piloted aircraft
22 is used has, by rule or regulation, authorized the launching, landing,
23 or operation of remote piloted aircraft.

24 (b) Within the airspace overlaying lands or waters managed by
25 the Department of Fish and Wildlife, unless the operator of the
26 remote piloted aircraft has obtained a permit authorizing the use
27 of that aircraft in that airspace or the Department of Fish and
28 Wildlife has, by rule or regulation, authorized the launching,
29 landing, or operation of remote piloted aircraft over those lands
30 or waters.

31 (c) (1) Within 500 feet of the State Capitol or other building
32 housing the state legislative offices and chambers, situated in the
33 area bounded by 10th, L, 15th, and N Streets in the City of
34 Sacramento, unless the operator of the remote piloted aircraft has
35 obtained a permit authorizing the use of that aircraft within 500
36 feet of the building or the Department of the California Highway
37 Patrol has, by rule or regulation, authorized the launching, landing,
38 or operation of remote piloted aircraft within 500 feet of the
39 building.

(2) This subdivision shall not apply to the operation of a remote piloted aircraft by any person that the Federal Aviation Administration authorizes to operate a remote piloted aircraft for a commercial purpose *who operates the remote piloted aircraft in a manner that complies with the authorization* or by any person described in Section 1070 of the Evidence Code ~~engaged in gathering, receiving, or processing information for communication to the public~~ if ~~all~~ *both* of the following conditions ~~that are~~ applicable are met:

~~(A) If the person is authorized by the Federal Aviation Administration to operate a remote piloted aircraft for a commercial purpose, the person operates the remote piloted aircraft in a manner that complies with the authorization.~~

~~(B)~~

(A) The operation of the remote piloted aircraft does not *unreasonably* interfere with the operation of the State Capitol.

~~(C)~~

(B) The operation of the remote piloted aircraft does not pose *a an imminent and credible* threat to the safety or security of the State Capitol.

21756. Notwithstanding Sections 21754 and 21755, a person may operate a remote piloted aircraft in any of the following circumstances:

(a) In any airspace designated for the taking off or landing of aircraft at an airport or heliport when the operator of the remote piloted aircraft is both authorized to and engaged in taking off from or landing at that airport or heliport.

(b) Upon or above any property to which the operator of the remote piloted aircraft has a right of entry.

(c) Upon or above any property for which the operation of a remote piloted aircraft has been permitted by the California Film Commission pursuant to the Motion Picture, Television, and Commercial Industries Act of 1984 (Chapter 1 (commencing with Section 14998) of Part 5.7 of Division 3 of Title 2 of the Government Code), provided the operator of the remote piloted aircraft operates the aircraft pursuant to the permit and adheres to all terms and conditions specified in the permit.

(d) In any location or airspace deemed necessary by the operator of the remote piloted aircraft to avoid imminent danger to the life and safety of another person or to the public at large.

1 21757. A person shall not weaponize a remote piloted aircraft
2 or operate a weaponized remote piloted aircraft.

3 21758. (a) A person shall not operate a remote piloted aircraft
4 in any of the following manners:

5 (1) In a manner that interferes with manned aircraft.

6 (2) In a manner that is prohibited by any federal statute or
7 regulation governing aeronautics.

8 (3) In a careless or reckless manner so as to endanger the life
9 or property of another.

10 (4) In a manner that constitutes a nuisance under Section 3479
11 of the Civil Code.

12 (5) In a manner that violates an individual's right to privacy
13 under Section 1 of Article I of the California Constitution.

14 (6) In a manner that constitutes trespass under California law.

15 (b) A remotely piloted aircraft shall always give way to manned
16 aircraft.

17 21759. A person shall not operate a remote piloted aircraft in
18 this state without first complying with all licensing, registration,
19 and marking requirements required by the Federal Aviation
20 Administration.

21 21760. (a) Every commercial operator of a remote piloted
22 aircraft shall procure, and continue in effect so long as the
23 commercial operator continues to offer services for compensation,
24 adequate protection against liability imposed by law upon operators
25 of remote piloted aircraft.

26 (b) Any person using, operating, or renting a remote piloted
27 aircraft with the permission, expressed or implied, of a commercial
28 operator shall also procure adequate protection against liability
29 imposed by law for the payment of damages for personal bodily
30 injuries, including death resulting therefrom, and property damage
31 as a result of an accident involving the remote piloted aircraft.

32 (c) The department shall, after a public hearing, establish the
33 amount of liability insurance, required by this section, that is
34 reasonably necessary to provide adequate compensation for
35 damages incurred through an accident involving a commercial
36 operator of a remote piloted aircraft.

37 21761. (a) Consistent with the provisions of this part, the
38 department may adopt rules and regulations governing the
39 conditions under which remote piloted aircraft may be operated
40 for the purpose of protecting and ensuring the general public

1 interest and safety and the safety of persons operating remote
2 piloted aircraft.

3 (b) The department may make and amend general or special
4 rules, orders, and procedures, and establish minimum standards
5 consistent with this part as it deems necessary to administer this
6 part.

7 (c) In exercising authority under this part, the department shall
8 cooperate with and assist the federal government, political
9 subdivisions of this state, and others in the development of remote
10 piloted aeronautics, and shall seek to coordinate activities whenever
11 feasible.

12 (d) The department shall keep on file with the Secretary of State,
13 and at its principal office, a copy of all its rules and regulations,
14 adopted pursuant to this part, for public inspection.

15 (e) The department shall provide for the publication and general
16 distribution of all its orders, rules, regulations, and procedures
17 having general effect that are applicable to remote piloted aircraft.

18 21762. (a) The Office of Emergency Services may adopt rules
19 and regulations, and may make and amend general or special rules,
20 orders, and procedures, as it deems necessary to administer
21 subdivisions (a) and (d) of Section 21754.

22 (b) In exercising authority under this part, the Office of
23 Emergency Services shall coordinate activities with the federal
24 government and political subdivisions of this state whenever
25 feasible.

26 (c) The Office of Emergency Services shall keep on file with
27 the Secretary of State, and at its principal office, a copy of all its
28 rules and regulations, adopted pursuant to this part, for public
29 inspection, and shall provide for the publication and general
30 distribution of all its orders, rules, regulations, and procedures
31 having general effect that are applicable to remote piloted aircraft.

32 21763. The department may do all of the following:

33 (a) Represent the state in remote piloted aeronautical matters
34 before federal and other agencies.

35 (b) Participate as plaintiff or defendant or as intervenor on behalf
36 of the state or any political subdivision or citizen in any controversy
37 that involves the interest of the state in remote piloted aeronautics.

38 (c) Assist political subdivisions and their law enforcement
39 agencies in becoming acquainted with and enforcing regulations
40 promulgated under this part.

1 (d) Enter into any contracts necessary to the execution of its
2 powers under this part. All contracts made by the department,
3 either as the agent of the state or as the agent of any political
4 subdivision, shall be made pursuant to the laws of the state
5 governing the making of like contracts.

6 (e) Exercise any of its powers under this part in cooperation
7 with any political subdivision, state agency, other states or their
8 political subdivisions, or the United States.

9 (f) Enforce this part and rules and orders issued under this part
10 in the name of the state by injunction or other legal process in the
11 federal, state, and local courts of this state or pursuant to any
12 federal, state, or local administrative hearing.

13 21764. (a) Except as provided in this section, a violation of
14 any provision of this part or any rule or order issued pursuant to
15 this part shall be punishable in the same manner *as* provided for
16 in the State Aeronautics Act (Part 1 (commencing with Section
17 21001)).

18 (b) A violation of subdivision (a) of Section 21755 shall be
19 punishable in the same manner *as* provided for in Section 5008 of
20 the Public Resources Code, and the Department of Parks and
21 Recreation shall have exclusive jurisdiction to enforce this
22 provision. *Code.*

23 (c) A violation of subdivision (b) of Section 21755 shall be
24 punishable in the same manner *as* provided for in Section 12000
25 of the Fish and Game Code, and the Department of Fish and
26 Wildlife shall have exclusive jurisdiction to enforce this provision.
27 *Code.*

28 (d) A violation of subdivision (c) of Section 21755 shall be
29 punishable in the same manner *as* provided for in Section 14685
30 of the Government Code, and the Department of the California
31 Highway Patrol shall have exclusive jurisdiction to enforce this
32 provision. *Code.*

33 21765. A person or entity injured or aggrieved by any
34 procedure or action of the department with respect to remote piloted
35 aeronautics may appeal to the California Transportation
36 Commission for relief, and the decision of the commission as to
37 that matter shall, after an evidentiary hearing, be conclusive, and
38 subject to review pursuant to Chapter 4.5 (commencing with
39 Section 11400) of Part 1 of Division 3 of Title 2 of the Government
40 Code. (a) *The Director of Transportation and the department's*

1 *officers and employees, and any state or peace officer charged*
2 *with the enforcement of state and local laws or ordinances, may*
3 *enforce and assist in the enforcement of this part, any rule or order*
4 *issued under this part, and all other laws of the state applicable*
5 *to remote piloted aircraft or unmanned aircraft systems.*

6 *(b) In the enforcement of this part, any rule or order issued*
7 *under this part, or other law applicable to remote piloted aircraft*
8 *or unmanned aircraft systems, the director may designate any*
9 *officer or employee of the department to exercise the powers of*
10 *arrest pursuant to Section 830.7 of the Penal Code.*

11 21766. Nothing in this part shall be construed to impair or
12 impede any other rights, causes of action, claims, or defenses
13 available under other laws. The remedies provided in this part are
14 cumulative with any other remedies available under other laws.

15 21767. The provisions of this part are severable. If any
16 provision of this part or its application is held to be invalid, that
17 invalidity shall not affect other provisions or applications that can
18 be given effect without the invalid provision or application.

19 ~~SEC. 3.~~

20 *SEC. 4.* No reimbursement is required by this act pursuant to
21 Section 6 of Article XIII B of the California Constitution because
22 the only costs that may be incurred by a local agency or school
23 district will be incurred because this act creates a new crime or
24 infraction, eliminates a crime or infraction, or changes the penalty
25 for a crime or infraction, within the meaning of Section 17556 of
26 the Government Code, or changes the definition of a crime within
27 the meaning of Section 6 of Article XIII B of the California
28 Constitution.